REMARKS

Applicant respectfully requests that the foregoing amendments be entered at least because they do not raise any issues requiring further search or consideration.

Claims 1-4 are being amended.

.A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1-4 are now pending in this application.

Allowable subject matter
Applicant appreciates the indication that claim 4 is allowed.

Rejections under 35 U.S.C. § 103
Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,262,938 to Rapoport et al. (hereafter "Rapoport") in view of U.S. Patent No. 6,188,406 to Fong et al. (hereafter "Fong"). Applicant respectfully traverses this rejection for at least the following reasons.

Independent claim 1 is directed to a POS registering system with structure providing for specific responses in response to a first operation and a second operation. When the first operation is performed, including <u>selecting a menu key and a selection key</u>, for designating a sales item on a menu, entries of sales item data of all sales items assigned to the selected menu key are retrieved from a table and all the retrieved entries of sales item data are displayed on a display device in such a manner that the entry of sales item data of the designated sales item designated by the operated selection key is distinguished from entries of sales item data of correction alternative sales items. When the second operation is performed for selecting one of the entries of sales item data of the correction alternative sales items displayed on the display device, the selected entry is treated as an entry to be processed. Rapoport and Fong fail to disclose a system with structure providing for specific responses in response to the first operation and the second operation as recited in claim 1.

Rapoport does not disclose both the first operation and second operation as recited in claim 1, wherein the first operation includes selecting a menu key and a selection key, and where upon the second operation is performed for selecting one of the entries of sales item data of the correction alternative sales items displayed on the display device, the selected entry is treated as an entry to be processed. The Office Action, in the "Response to Arguments" section on page 3 states with respect to the Rapoport and Fong, that "the first operation may include 'selecting a menu key' (i.e. drinks) and a selection key (i.e. Coke)." Presuming for the sake of argument that selecting "drinks" from the CATEGORY selections and then "Coke" from the SELECT ITEM selections of Rapoport corresponds to the first operation as recited in claim 1, Rapoport does not disclose the second operation as recited in claim 1 where upon the second operation being performed for selecting one of the entries of sales item data of the correction alternative sales items displayed on the display device, the selected entry is treated as an entry to be processed. When a category and then an item is selected in Rapoport, not all of the sales items corresponding to the category are retrieved, such that upon a second operation an entry other than that for a designated sales item (i.e., for a corrective alternative sales item) is selected and treated. In Rapoport once a category and then an item within that category are selected (such as drinks and then Coke), no second operation to then select a corrective alternative sales item is possible (such as coffee, for example), only the chosen item is processed.

Independent claim 2 is also directed to a POS registering system. Claim 2 includes a designated item-searching means for searching a table for an entry of designated sales item data which corresponds to a sales item designated by an operation on the menu, the operation including selecting a selection key and a menu key to which a sales item to be designated is assigned, and a correction alternative-searching means for searching the table for entries of correction alternative sales item data of sales items which are assigned to the menu key to which the designated sales item is assigned and which have not been designated by the operation. For the reasons analogous to those discussed above with respect to claim 1, Rapoport does not disclose at least a correction alternative-searching means for searching the table for entries of correction alternative sales item data of sales items which are assigned to

the menu key to which the designated sales item is assigned and which have not been designated by the operation.

Independent claim 3 is likewise directed to a POS registering system. The system includes a key table containing the codes of sales items and operations on a menu in such a manner that a code of a sales item is designated by each operation on the menu, each operation including selecting a menu key and a selection key, and a correction alternative-searching means for searching the key table for sales item codes corresponding to sales items which are assigned to the menu key operated and which have not been designated. For the reasons analogous to those discussed above with respect to claim 1, Rapoport does not disclose at least a correction alternative-searching means for searching the key table for sales item codes corresponding to sales items which are assigned to the menu key operated and which have not been designated.

As noted in the Amendment filed on April 30, 2004, Fong fails to cure the deficiencies of Rapoport. Fong discloses a single-item window for scrolling lists. Figure 6 of Fong is a display with a display region 112 displaying five line number fields (01, 02, 03, 04 and 05) and a name field (Chris Reeve) in its middle row (col. 4, lines 29-34). In operation a user can scroll up and down the names on the display (col. 4, lines 35-40).

Even if there were motivation (which there is not) to combine Fong and Rapoport, the combination would not meet the limitations of claims 1, 2 or 3. At best if Fong and Rappaport were combined, the combination would include a Category window where one of the categories would be in a middle row window, and/or a Select Item window where one of the items would be in the middle row window, and a user could scroll up or down the category and/or the select item window, i.e., Fong only discloses his display for selecting an item, not for first designating an item, and then selecting a non-designated item. What Fong does not suggest is that the middle row correspond to a name that has been designated by an operation of selecting a menu key and a selection key, and then a second operation can be performed to then select a corrective alternative sales item.

Moreover, claims 1-3 have been amended to further define the function of the menu and selection keys of the menu. For example, independent claim 1 has been amended to recite "a menu having a plurality of menu keys and at least one selection key, <u>each of the menu keys being used to select a group of sales items before displaying sales item data</u>, each of the selection keys being used to select one of the sales items in the group <u>before displaying sales item data</u>." Claim 1 further recites "when a first operation including a selecting a menu key and a selection key is performed . . . all the retrieved entries of sales item data are displayed on said display device in such a manner that the entry of sales item data of the designated sales item <u>designated by the operated selection key</u> is distinguished from entries of sales item data of correction alternative sales items." Thus, in claim 1, the sales item data designated by operating the selection key is not distinguished from entries of corrective alternative sales item data until the selection key is operated.

By contrast, in the Rappoport system, or the Rappoport modified by Fong system, a list of items is displayed among the SELECT ITEM selections where a default one of these items is highlighted when one of the CATEGORY selections is chosen without a selection from the SELECT ITEM list also being performed. Rappoport does not disclose that the list of SELECT ITEM selections is displayed with one of the items being highlighted only upon that item being selected. Therefore, Rappoport, or Rappoport in view of Fong, does not suggest that sales item data designated by operating a selection key (one of the SELECT ITEM selections) is not distinguished from entries of corrective alternative sales item data until the selection key is operated.

Independent claims 2 and 3 have been amended in a fashion corresponding to claim 1, and analogous arguments apply to these claims.

For at least the reasons given above, applicant submits that Rapoport and Fong do not render obvious any of independent claims 1-3.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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